

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

SEAN COMBS,

Defendant.

24-CR-542 (AS)

ORDER


ARUN SUBRAMANIAN, United States District Judge:

In his November 19, 2024 letter to the Court (filed prior to the hearing that same day), defendant stated that “a government investigator...took photographs of several items,” including “intact pages from two different legal pads” and ripped-out pages of other legal pads. Dkt. 75 at 1. The letter also described the legal pads in detail and argued that they were privileged in part because “[o]n top of his legal pads and notes, [defendant] has a folder marked ‘legal,’” which “put anyone on notice that everything along with the folder marked ‘legal’ is...attorney-client material[.]” *Id.* at 1–2. At the November 19, 2024 hearing, defense counsel presented the Court with an intact legal pad with “Legal” written on the binding, stating that the “Legal” label on this and the other pads showed that they were clearly protected by attorney-client privilege and should not be in the Government’s possession.

The Court notes that the sealed exhibit to the Government’s brief at Dkt. 72-1 includes photographs of two intact legal pads taken at the time of the BOP sweep. There is no writing on the binding of either pad. At the scheduled hearing on Friday, November 22, 2024, defense counsel should be prepared to give the Court further context on the “Legal” label that the Court was presented with at the November 19, 2024 hearing and to address why this label doesn’t appear on the photographs in the Court’s possession, and why it wasn’t addressed in defendant’s submission to the Court made a few hours before the November 19, 2024 hearing.

SO ORDERED.

Dated: November 20, 2024
New York, New York


ARUN SUBRAMANIAN
United States District Judge